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HON'BLE SRI JUSTICE D.S.R. VARMA

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AND

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HON'BLE SRI JUSTICE V. ESWARAIAH

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W.A.NO.641 OF 2006

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JUDGMENT:

(per the Hon'ble Sri Justice V. ESWARAIAH)

Heard both sides and at their request, this matter is taken up for disposal at the stage of admission.

The appellant is the petitioner, who filed Writ Petition No. 12342 of 2002 assailing the common order dated 19.9.2000 of the second respondent herein in S.E. Nos. 16,20,21,22,24,26 and 27 of 1996, as confirmed by the first respondent-2nd appellate authority in S.A.Nos. 1 to 7 of 2001 dated 13.5.2002. Both the authorities held against the appellant and pending disposal of the Writ Petition, W.P.M.P.No. 33848 of 2005 was filed to stay the criminal prosecution launched against the petitioner for non-payment of the amounts payable to the un-official respondents.

In view of the above, we are of the opinion that the criminal proceedings have been initiated against the petitioner for not paying the amounts payable to the un-official respondents, and therefore, the learned single Judge rightly refused to grant stay of the criminal prosecution. Hence, we do not see any infirmity, illegality or otherwise in the said order of the learned single Judge and accordingly, the Writ Appeal is dismissed directing expeditious hearing of the Writ Petition to be heard by the learned single Judge, within eight weeks from the date of receipt of a copy of this

order, as subject to part-heard. No order as to costs.

_____ D.S.R.VARMA, J

_____ V. ESWARAIAH, J

Dated: 10.01.2006

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